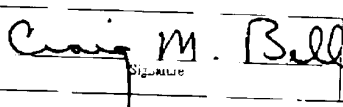


| CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)] | | |
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|------------------|--|---|-----------------------|
| Applicant: | MARTIN, ALAIN | § | |
| Application No.: | 09/878,466 | § | Group Art Unit: 1644 |
| Filing Date: | June 11, 2001 | § | Examiner: D. Saunders |
| For: | IMMUNOSTIMULATOR ANTI-CANCER COMPOUNDS | § | |

Response Pursuant to 37 C.F.R. § 1.111

Dear Sir:

This response is being filed pursuant to an office action /restriction requirement that was mailed to Applicant's Attorney on October 8, 2002 with a shortened statutory period for response of one (1) month. This would result in an original due date for response of November 8, 2002 and therefore this election is timely filed.

In the office action dated October 8, 2002 Examiner David Saunders restricted the claims of the originally filed application into three (3) inventive groups pursuant to 35 U.S.C. § 121. These were:

- I. Claims 1-6, drawn to method of cancer treatment with an immunostimulator, classified in class 514, subclass 731, for example.
- II. Claim 7, drawn to pharmaceutical compositions, classified in class 514, subclass 731, for example.
- III. Claim 8, drawn to pharmaceutical compositions containing urushiol and a secondary anti-cancer agent, classified in class 514, subclass 731, for example.

Applicant, by his Attorney, hereby elects Group I (claims 1-6) with traverse in response to the restriction requirement. Since Applicant has elected Group I, the Examiner has also required him to select a single disclosed species of immunostimulator as recited at page 3. Applicant, by his Attorney, hereby elects urushiol as the immunostimulator of the present invention.

Since Group I has been elected with traverse, the Examiner has also required Applicant to select one species from the group of secondary immunostimulators as recited in claim 4. Applicant hereby traverses this requirement and would assert that the immunostimulators recited therein are not patentably distinct and are obvious variants of one another.

Finally, the Examiner further maintains that claims 5-6 and 8 are generic to a plurality of disclosed patentably distinct species comprising numerous anti-cancer agents and therefore again, Applicant is required to select a single disclosed species. However, Applicant, by his attorney, would traverse this requirement and asserts the anti-cancer agents are not in fact patentably distinct and are obvious variants of one another.

Applicant, by his Attorney, wishes to thank Examiner Saunders for his attention to this matter and an expeditious prosecution of this application is earnestly solicited. The Examiner is also encouraged to contact the undersigned should he have any further questions or concerns in this regard.

Respectfully submitted,

Craig M. Bell

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Fax: 908.901.6160

November 5, 2002

CMB:tml

cc: Dr. Alain Martin